

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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MARIO RENE GARCIA,

Petitioner,

21 **CIVIL** 1209 (JMF)

-against-

**JUDGMENT**

THOMAS DECKER, Director, New York Field  
Office, U.S. Immigration and Customs Enforcement,  
et al.,

Respondents.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated March 3, 2021, Petitioner Mario Rene Garcia's petition for the writ of habeas corpus is GRANTED. Within seven calendar days of the date of the Order, the Government shall take Petitioner before an immigration judge for an individualized bond hearing. At that hearing, the Government shall bear the burden to demonstrate, by clear-and-convincing evidence, that Petitioner is a danger to the community or a flight risk. If the immigration judge determines that bond is appropriate, Mr. Garcia's ability to pay bond and suitability for alternative conditions of release must be considered in setting such a bond. Should the Government fail to provide Petitioner with a bond hearing consistent with the foregoing within seven calendar days, the Government shall immediately release him. Petitioner's request for an injunction barring his transfer is deemed withdrawn and/or forfeited; accordingly, the case is closed.

**DATED:** New York, New York

March 3, 2021

**RUBY J. KRAJICK**

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**Clerk of Court**

**BY:**

*K. mango*

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**Deputy Clerk**